

Remarks

This Amendment is responsive to the Office Action dated April 18, 2006. Claims 1-7 remain for consideration.

Claims 1, 3 and 5-7 are rejected as anticipated by Kumata et al (Kumata) as evidenced by Hahn. The independent claims in this case are 1, 3 and 7. Claims 1 and 3 have been amended to require sealant material directly contacting said one or more planar surfaces and claim 7 has been amended to require "a sealant surface directly contacting said fuel cell stack".

In the response to arguments, paragraph 8 of the final rejection it is clarified that contacting may be construed more broadly and therefore that the term "directly" would avoid that problem.

Since the claims have been amended in response to the suggestion in the Office Action that direct contact would differentiate sufficiently from Kumata to avoid anticipation, this response is deemed to be a conforming response and entry thereof is requested. Further, reexamination and allowance of amended claims 1, 3 and 7, as well as claims 2 and 4-6 which depend from claims 1 and 3 is hereby respectfully requested.

Should the foregoing not be deemed to place the claims in allowable form, a telephone call is most earnestly solicited.

Respectfully submitted,



M. P. Williams

Attorney of Record

Voice: 860-649-0305

Fax: 860-649-1385

Email: [mw@melpat.com](mailto:mw@melpat.com)

210 Main Street  
Manchester, CT 06042  
Date: May 3, 2006